

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

[REDACTED]  
(4) DAWN MILLER,  
(5) THOMAS WHITEHOUSE,  
(6) MATTHEW HAMEL,  
[REDACTED]  
(8) ANTHONY SMITH, and  
(9) LAWRENCE MUNN,

Defendants

) Criminal No. 23cr10064  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

INDICTMENT

COUNT ONE

Conspiracy to Distribute and to Possess with Intent to Distribute  
400 Grams or More of Fentanyl  
(21 U.S.C. § 846)

The Grand Jury charges:

From in or about June 2022, through in or about February 2023, in Lawrence, Lowell, and Methuen, in the District of Massachusetts, Portsmouth and Greenland, in the District of New Hampshire, Kittery and Westbrook, in the District of Maine, and elsewhere, the defendants,

[REDACTED]  
(4) DAWN MILLER,  
(5) THOMAS WHITEHOUSE,  
(6) MATTHEW HAMEL,  
[REDACTED]  
(8) ANTHONY SMITH, and  
(9) LAWRENCE MUNN,

conspired with each other and with other persons known and unknown to the Grand Jury, to knowingly and intentionally distribute and possess with intent to distribute a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

It is further alleged that the offense charged in Count One involved 400 grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as fentanyl, a Schedule II controlled substance. Accordingly, Title 21, United States Code, Section 841(b)(1)(A)(vi) is applicable to this Count.

It is further alleged that, with respect to Count One, 400 grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as fentanyl, a Schedule II controlled substance, were reasonably foreseeable by, and are attributable to, [REDACTED]

[REDACTED] and (6) MATTHEW HAMEL. Accordingly, Title 21, United States Code, Section 841(b)(1)(A)(vi) is applicable to defendants [REDACTED]  
[REDACTED] and (6) MATTHEW HAMEL.

All in violation of Title 21, United States Code, Section 846.

Before defendant [REDACTED] committed the offense charged in this count, the defendant was convicted of unlawful trafficking in scheduled drugs, in violation of Me. Stat. tit. 17-A, § 1103(1-A) (see [REDACTED] CUMCDCR201801794), a serious drug felony, for which the defendant served a term of imprisonment of more than 12 months, and for which the defendant's release from any term of imprisonment was within 15 years of the commencement of

the instant offense.

DRUG FORFEITURE ALLEGATION  
(21 U.S.C. § 853)

1. Upon conviction of the offense in violation of Title 21, United States Code, Section 846, set forth in Count One, the defendants,

[REDACTED]  
(4) DAWN MILLER,  
(5) THOMAS WHITEHOUSE,  
(6) MATTHEW HAMEL,  
[REDACTED]  
(8) ANTHONY SMITH, and  
(9) LAWRENCE MUNN,

shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of such offense; and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offense.

2. If any of the property described in Paragraph 1, above, as being forfeitable pursuant to Title 21, United States Code, Section 853, as a result of any act or omission of the defendants

--

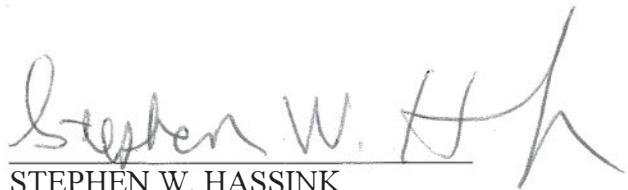
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property described in Paragraph 1 above.

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL

  
C.J. Kelley  
FOREPERSON

  
Stephen W. Hassink

STEPHEN W. HASSINK  
ASSISTANT UNITED STATES ATTORNEY  
DISTRICT OF MASSACHUSETTS

District of Massachusetts: March 09, 2023  
Returned into the District Court by the Grand Jurors and filed.

/s/ Thomas F. Quinn Jr 3:00pm  
DEPUTY CLERK